



South Coast Air Quality Management District

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FAXED: MARCH 18, 2005

March 18, 2005

Mr. Dennis Watts
City of Murrieta
Planning Department
26442 Beckman Court
Murrieta, CA 92562

Dear Mr. Watts:

**Draft Mitigated Negative Declaration (DMND) for
Development Plan 03-107, TPM 32258 (Case #TPM-004-061) CUP 03-112, and Variance
03-113: Murrieta**

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated in the Final Mitigated Negative Declaration.

Please provide the SCAQMD with written responses to all comments contained herein prior to the certification of the Final Mitigated Negative Declaration. The SCAQMD would be happy to work with the Lead Agency to address these issues and any other questions that may arise. Please contact Charles Blankson, Ph.D., Air Quality Specialist – CEQA Section, at (909) 396-3304 if you have any questions regarding these comments.

Sincerely

Steve Smith, Ph.D.
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources

Attachment

SS: CB

RVC050222-03
Control Number

**Draft Mitigated Negative Declaration (DMND) for
Development Plan 03-107, TPM 32258 (Case # TPM-004-061) CUP 03-112, and Variance
03-113: Murrieta**

1. **Improper Reliance on Another Project's Air Quality Analysis:** On page 31 of the DMND, the lead agency states that the air quality analysis for the proposed project relies on the air quality analysis prepared for a "similar" project. The SCAQMD strongly disagrees with this approach for the following reasons. The DMND does not include sufficient information for the reviewer to determine whether or not the projects are truly similar, or whether they might appear to be similar, but have substantial project-specific impacts different from the other "similar" project. Further, the air quality analysis is not included for the other "similar" project, so there is no way to evaluate whether or not the air quality analysis for the other "similar" project was properly prepared. The SCAQMD recommends that the lead agency prepare a project-specific air quality analysis for the proposed project using the air quality analysis methodologies in the SCAQMD's CEQA Air Quality Handbook (Handbook), other approved methodologies, or the URBEMIS2002 land use model. The URBEMIS2002 model can be downloaded from the California Air Resources Board website at www.arb.ca.gov. If the URBEMIS2002 model is used to analyze project-specific air quality impacts, please provide the model's output sheets and any other supporting documentation as an appendix to the CEQA document.
2. **Improper Reliance on Another Project's Localized Air Quality Analysis:** On page 31 the lead agency concludes that the proposed project will not create localized air quality impacts because dispersion modeling for a "similar" project showed that the project would not create localized air quality impacts. There are a number of problems with this approach and conclusion. A localized air quality analysis is dependent on ambient air quality conditions, total emissions contribution from the project under consideration, and distance from the sensitive receptor. Since air quality impacts for the proposed project were not calculated, it is not clear how emissions from the proposed project will affect local air quality. Further, the location of the sensitive receptor is not provided for either project. Consequently, by not performing a project-specific analysis for the proposed project the lead agency has not demonstrated that localized air quality impacts will not be significant.
3. **Significance Thresholds:** The lead agency does not explicitly include the significance criteria used to determine the significance of air quality impacts for the proposed project. On page 31, relative to operational impacts, the lead agency refers to the "California Ambient Air Quality Levels [sic]." It is assumed that the lead agency is referring to significant air quality impacts as emissions that cause or contribute to an exceedance of the California Ambient Air Quality Standards (CAAQS). On page 32 the lead agency cites the construction significance thresholds for PM10 (150 pounds per day) and NOx (100 pounds per day) recommended by the SCAQMD. It appears that the lead agency arbitrarily applies significance criteria to impacts to avoid significant air quality impacts. For example, the lead agency states that the emissions for the "similar" project exceed the

SCAQMD's recommended [operational] significance thresholds for CO, NO_x, and VOCs. Then explains away the impact by saying dispersion modeling shows that emissions do not exceed the CAAQs. This analysis and conclusion is mixing apples and oranges. The SCAQMD significance thresholds referred to are regional significance thresholds. Projects that exceed these thresholds create significant adverse regional impacts. Dispersion modeling is used to analyze localized impacts. The localized air quality analysis is a separate analysis and is compared to a different standard. Therefore, if the proposed project generates operational emissions equivalent to the "similar" project and the similar project exceeds the regional significance thresholds for CO, NO, and VOCs, then the proposed project is also significant for these same pollutants, unless project-specific analysis proves otherwise or additional operational mitigation measures are incorporated into the proposed project.

4. **Compliance with SCAQMD Rules 461 and 463:** On page 31 the lead agency states that the fueling station must comply with SCAQMD Rules 461 and 463 or it will not be allowed to operate. Although this is a true statement, the point of this statement is unclear. All emissions sources from a project, including those subject to SCAQMD rules and regulations, contribute to a project's air quality impacts. Therefore, any project-specific analysis prepared for the proposed project must include emissions from fuel storage and dispensing.
5. **Operational Mitigation Measure 15.a-1:** This mitigation measure has no meaning as oxygenates are already required pursuant to state and federal law.
6. **PM10 Emissions:** The PM10 discussion in the last paragraph on page 31 is very confusing. For example, the lead agency states, "Because of the size of the project (about 11 acres total), the construction contractor does not qualify for compliance with the District's Rule 403 requirements and regulations." Rule 403 applies to any project or activity capable of generating dust. Although some types of project are explicitly exempt from Rule 403, the proposed project does qualify for an exemption from Rule 403. The lead agency may be referring to requirements for large operations (50 acres or greater), such as large operation notification requirements. If this is the case, the proposed project is still subject to the best available control measure requirements in Rule 403 (d), but is not subject to the requirements for large operations, Rule 403(e).
7. **Screening Tables:** The lead agency also states, "The amount of area disturbed falls well below the District's 177 acres of area disturbed during a quarter, so a presumption of no significant impact can be made." It is assumed that the lead agency is referring to the screening threshold in Chapter 6 of the Handbook. The SCAQMD has recommended that lead agencies not use these screening thresholds for several years because they were derived using an obsolete version of CARB's on-road mobile source emission factor model (EMFAC) and a trip rates are from the fifth edition of the ITE Trip Generation Manual (the most current version is the seventh edition). Therefore, the SCAQMD requests that the lead agency not use the screening tables in either Chapter 6 or Chapter 9 of the Handbook for this or future projects.

8. **Construction Mitigation Measures:** The lead agency provides a comprehensive list of mitigation measures on pages 32 and 33. However, without quantifying construction air quality impacts and the control efficiencies of the mitigation measures listed, the lead agency has not demonstrated that the proposed project will not generate significant adverse construction air quality impacts.
9. **Mitigation Measure 15.a-4:** The SCAQMD recommends that mitigation measure 15.a-4. e. be modified as follows. Where vehicles leave the construction site and enter adjacent public streets, the streets will be swept as soon as visible dust is deposited on roadway surfaces to remove soil tracked onto the paved surface.
10. **Mitigation Measure 15.a-9:** Mitigation measure 15.a.-9 should be modified to prohibit idling from diesel-powered vehicles for more than five minutes, consistent with state law.